Wichita-Sedgwick County Metropolitan Area Planning Department

October 5, 2020

David Matthew
3206 N. Westwind Bay Street
Wichita, KS 67205

Re: **BZA2020-00047: Administrative Adjustment to reduce the rear yard setback by 50% (20-feet to 10-feet) on property zoned Two-Family Residential (TF-3) adjacent to Reserve C, Ridge Port 4th Addition.**

Legal Description: THAT PART LOT 6 BEG 68.44 FT NW OF SELY MOST COR LOT 6 TH NW 34.21 FT SW 71.04 FT SW 51.95 FT TO SWLY LI LOT 6 TH SE TO PT 65.21 FT NWLY OF SWLY MOST COR TH NE 121.82 FT TO BEG BLOCK B RIDGE PORT 4TH ADDITION (3206 N. Westwind Bay Street)

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the rear yard setback from 20-feet to 10-feet on the aforementioned property. From reviewing the application, we understand that you desire to construct a 10-feet by 17-feet raised deck.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing minimum rear yard setback (required by the property development standards of the zoning district) by up to 50 percent if adjacent to a reserve. This adjustment is permissible when the provisions of the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the rear yard setback as proposed meets the provisions of Section V-I.2.a and the four criteria required by Section V-1.6 as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The location of the new construction should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.

2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the new construction; street visibility will be unchanged for neighboring properties.

3) Compatibility with existing or permitted uses on abutting sites: Abutting sites are zoned to allow residential development and the rear yard setback reduction will not have a negative impact on existing or permitted uses.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There will be no negative impact on the public health, safety or welfare, nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to reduce the rear yard setback from 20-feet to 10-

feet (50%) is hereby GRANTED, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) The applicant shall obtain a building permit and complete construction within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to building, health and fire.

3) The setback reduction shall apply only to the rear yard setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

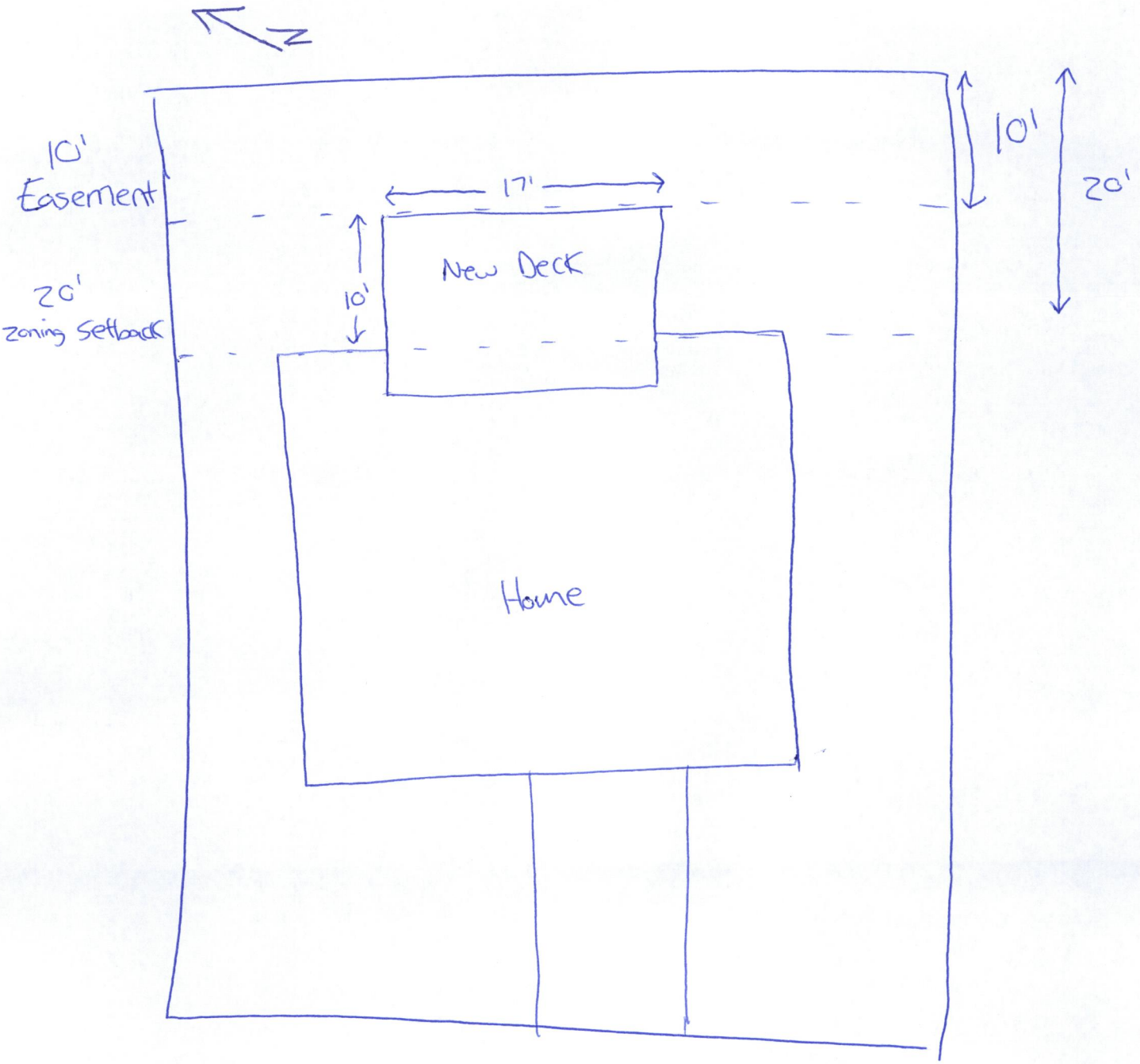
4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Bryan Frye, CM District V
Cory Buchta, CRS District V



SITE PLAN

APPROVED 10/5/2020 BY klmorgan